



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

**999 18TH STREET- SUITE 200
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>**

Ref: 8ENF-W

September 20, 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Oppen, Director
Montana Department of
Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

NOTICE OF VIOLATION

Docket No. **SDWA-08-2006-0064**

Golden Eagle Water Users Association
4698 Harvest Lane
Billings, MT 59106
PWS ID# MT0002840

Dear Mr. Oppen:

The above referenced public drinking water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f, et seq. and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. The violations consist of the exceedance of maximum contaminant levels (MCL) for total coliform, failure to monitor for disinfection byproducts, failure to monitor for nitrate, failure to monitor for volatile organic chemicals, failure to monitor for synthetic organic chemicals, failure to monitor for inorganic chemicals, failure to monitor for water quality parameters, failure to monitor for lead and copper, failure to monitor for arsenic, failure to provide public notice, and failure to notify the State of the violations. Our records, obtained from the Montana Department of Environmental Quality's Public Water Supply Online Query Reports, indicate the violations noted below. Please notify Kimberly Pardue Welch of my staff at (303) 312-6983 within 20 days if your records show any discrepancies with these determinations of violation.

<u>Date of Violation</u>	<u>Violation</u>
September 2005	Exceeded the MCL for total coliform bacteria. [40 C.F.R. § 141.63(a)(2)]
2004 and 2005	Failure to monitor for disinfection byproducts [40 C.F.R. § 141.132(b)]
2001 and 2003	Failure to monitor for nitrate. [40 C.F.R. § 141.23 (d)]
1999 – 2001	Failure to monitor for volatile organic chemicals. [40 C.F.R. § 141.24(f)]
1999 – 2001	Failure to monitor for synthetic organic chemicals. [40 C.F.R. § 141.24(h)]
1999 – 2001	Failure to monitor for inorganic chemicals. [40 C.F.R. § 141.23(c)(1)]
June – December 2001, January – June and July – December 2002, 2003, 2004, January – June 2005	Failure to monitor for water quality parameters. [40 C.F.R. § 141.87 (b)]
January – June and July – December for 2002 and 2003	Failure to monitor for lead and copper. [40 C.F.R. § 141.86 (d)(1)(ii)]
1999 – 2001	Failure to monitor for arsenic. [40 C.F.R. § 141.23(c)]
2002-2005	Failure to provide public notice of the above-referenced violations. [40 C.F.R. § 141.201]
2001-2005	Failure to report the above-referenced violations to the State [40 C.F.R. §§ 141.31(b), 141.21(g)(1)]

This NOTICE OF VIOLATION is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, the EPA is authorized either to issue an Administrative Order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g) requiring the public water system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the SDWA, 42 U.S.C. § 300g-3(b).

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement

action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order. Our technical contact is Kimberly Pardue Welch at (303) 312-6983.

A copy of this NOTICE OF VIOLATION has been concurrently sent to the system identified above.

Sincerely,

SIGNED

Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

SIGNED

Michael T. Risner, Director
David J. Janik, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure:

SBREFA fact sheet

cc: Golden Eagle Water Users Association, Owner
(via certified mail / return receipt requested)
Cavin Noddings, Operator, Engineering, Inc.
(via certified mail / return receipt requested)
Robert Hayes, Administrative Contact
John Arrigo, MT DEQ

IF YOU WOULD LIKE COPIES OF THE ATTACHMENTS, PLEASE CONTACT THE REGIONAL HEARING CLERK.

THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE ON SEPTEMBER 20, 2006.